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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/737,655	12/15/2000	Torsten Stadler	F0054	2269

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EXAMINER

KIM, CHONG R

ART UNIT	PAPER NUMBER
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2623

DATE MAILED: 01/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/737,655

Applicant(s)

STADLER ET AL.

Examiner

Charles Kim

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 December 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed March 14, 2002 fails to comply with 37 CFR 1.98(a)(1), which requires a list of all patents, publications, or other information submitted for consideration by the Office. It has been placed in the application file, but the information referred to therein has not been considered.

Drawings

2. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

The following quotation of 37 CFR § 1.75(a) is the basis of objection:

(a) The specification must conclude with a claim particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention or discovery.

(d)(1) The claim or claims must conform to the invention as set forth in the remainder of the specification and the terms and phrases used in the claims must find clear support or antecedent basis in the description so that the meaning of the terms in the claims may be ascertainable by reference to the description. (See § 1.58(a)).

3. Claims 1-4, 6-8 are objected to under 37 CFR § 1.75 (a) and (d)(1) as failing to particularly point out and distinctly claim the subject matter which the applicant regards as his invention or discovery.

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Claim 1 is objected to because of inconsistent claim language rendering the claim ambiguous. For example, the phrase “said compression coding and decoding means” in line 3 is inconsistent with the phrase “compression coding and/or decoding means” in lines 1-2. It appears that the applicant intended the phrase “said compression coding and decoding means” to read “said compression coding and/or decoding means”. Appropriate correction is required.

Claim 2 is objected to because the phrase “said compression coding decoding means” in line 2 lacks antecedent basis. It appears that the applicant intended the phrase to read “said compression coding and/or decoding means”. Appropriate correction is required.

Claim 4 is objected to because the phrase “the picture of a traffic scene” in lines 2-3 lacks antecedent basis. It appears that the applicant intended the phrase to read “a picture of a traffic scene”. Appropriate correction is required.

Claim 6 is objected to because the phrase “compressing or decompressing, respectively, selectively said at least one data segment” in line 3 renders the claim ambiguous because it is unclear what is being claimed. For examination purposes, the phrase will be interpreted as “compressing or decompressing, selectively said at least one data segment”. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

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international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3, 5-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Shimura et al., U.S. Patent No. 5,933,249 ("Shimura").

Referring to claim 1, Shimura discloses a data storing device comprising a data memory and compression coding (14) and decoding (33) means for the storing of picture data in a compressed or decompressed data format, wherein the compression coding and decoding means includes means (13) for labeling and retrieving selected data segments (col. 3, line 65-col. 4, line 3 and figure 4).

Referring to claim 2, Shimura further discloses that the compression coding and/or decoding means comprises programmed digital computer means (col. 12, lines 51-54).

Referring to claim 3, Shimura further discloses a picture generating means for generating digital picture data and means for supplying the digital picture data to the compression coding means (col. 3, lines 34-44 and figure 1).

Referring to claim 5, Shimura discloses a method of storing picture data in a compressed data format in a data storing memory, comprising the steps of:

- a. dividing the picture data into data segments, at least one of the data segments having a location represented by location information (col. 3, line 65-col. 4, line 3 and figure 4)
- b. storing the location information of the at least one data segment (col. 3, line 65-col. 4, line 3).

Referring to claim 6 as best understood, Shimura further discloses the steps of:

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c. reading the stored location information of one of the at least one data segment, and compressing selectively the at least one data segment (col. 5, lines 51-58 and figure 9).

Referring to claim 7, Shimura further discloses that the data segments are compressed to associated different degrees of compression (figure 9. Note that "JBIG", "MMR" and "JPEG" represent different degrees of compression).

Referring to claim 8, Shimura further discloses the steps of:

d. selecting one of the at least one data segment using the location information (col. 6, lines 6-20)

e. decompressing the selected data segment in accordance with its associated degree of compression (col. 6, lines 13-26).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Shimura et al., U.S. Patent No. 5,933,249 ("Shimura") and Auty et al., U.S. Patent No. 5,809,161 ("Auty").

Referring to claim 4, Shimura fails to explicitly disclose a traffic monitoring installation with a digital camera. However, this feature was exceedingly well known in the art. For

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example, Auty discloses a traffic monitoring installation with a digital camera (8) [col. 25, lines 55-59], the digital camera generating camera data representing a picture of a traffic scene (figure 31), and means for supplying the camera data as picture data to a compression coding means (figure 33).

Shimura and Auty are both concerned with image processing systems that perform image compression. Shimura explains that his system can be used in a variety of different environments (Shimura, col. 12, lines 50-56 and col. 13, lines 9-13). Auty's imaging system monitors traffic to detect law infringement (Auty, col. 3, lines 4-8). Therefore, it would have been obvious to modify the imaging system of Shimura, so that it is used as a traffic monitoring system, as taught by Auty, in order to provide a flexible imaging system that can be used to help enforce the law.

Referring to claim 9, see the rejection of at least claim 4 above. Shimura discloses a method of storing picture data in a compressed data format in a data storing memory, comprising the steps of:

- a. generating picture data (col. 3, lines 33-39)
- b. dividing the picture data into data segments, at least one of the data segments having a location represented by location information (col. 3, line 65-col. 4, line 3 and figure 4),
- c. storing the location information of the at least one data segment (col. 3, line 65-col. 4, line 3)
- d. compressing the data segments (col. 5, lines 51-58 and figure 9)

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e. selecting one of the at least one data segment using the location information (col. 6, lines 6-20), and decompressing the selected data segment independently of other ones of the data segments (col. 6, lines 13-26).

Shimura fails to disclose that the picture data represents a picture of traffic scene, and the picture of the traffic scene is generated by a digital camera of a traffic monitoring installation.

Auty discloses a traffic monitoring installation with a digital camera (8) [col. 25, lines 55-59], the digital camera generating camera data representing a picture of a traffic scene (figure 31), and means for supplying the camera data as picture data to a compression coding means (figure 33).

Shimura and Auty are both concerned with image processing systems that perform image compression. Shimura explains that his system can be used in a variety of different environments (Shimura, col. 12, lines 50-56 and col. 13, lines 9-13). Auty's imaging system monitors traffic to detect law infringement (Auty, col. 3, lines 4-8). Therefore, it would have been obvious to modify the imaging system of Shimura, so that it is used as a traffic monitoring system, as taught by Auty, in order to provide a flexible imaging system that can be used to help enforce the law.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Kim whose telephone number is 703-306-4038. The examiner can normally be reached on Mon thru Thurs 8:30am to 6pm and alternating Fri 9:30am to 6pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au can be reached on 703-308-6604. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

ck

January 22, 2004



AMELIA M. AU
SUPERVISORY PATENT EXAMINER
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